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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/552,312	04/19/2000	Andrea Basso	IDS #1999-0097	4129

7590 08/09/2007  
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EXAMINER

SHANG, ANNAN Q

ART UNIT	PAPER NUMBER
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2623

MAIL DATE	DELIVERY MODE
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PAPER

**Please find below and/or attached an Office communication concerning this application or proceeding.**

The time period for reply, if any, is set in the attached communication.

## Office Action Summary

Application No.

09/552,312

Applicant(s)

BASSO ET AL.

Examiner

Annan Q. Shang

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-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

### Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

### Status

- 1) ☒ Responsive to communication(s) filed on 20 June 2007.
- 2a) ☒ This action is **FINAL**.                      2b) ☐ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

### Disposition of Claims

- 4) ☒ Claim(s) 1,3-7 and 18 is/are pending in the application.
- 4a) Of the above claim(s) \_\_\_\_\_ is/are withdrawn from consideration.
- 5) ☐ Claim(s) \_\_\_\_\_ is/are allowed.
- 6) ☒ Claim(s) 1,3-7 and 18 is/are rejected.
- 7) ☐ Claim(s) \_\_\_\_\_ is/are objected to.
- 8) ☐ Claim(s) \_\_\_\_\_ are subject to restriction and/or election requirement.

### Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on \_\_\_\_\_ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.  
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).  
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

### Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All    b) ☐ Some \*    c) ☐ None of:
- ☐ Certified copies of the priority documents have been received.
  - ☐ Certified copies of the priority documents have been received in Application No. \_\_\_\_\_.
  - ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

\* See the attached detailed Office action for a list of the certified copies not received.

### Attachment(s)

- |  |   |
|--|---|
| 1) <input checked="" type="checkbox"/> Notice of References Cited (PTO-892)                                | 4) <input type="checkbox"/> Interview Summary (PTO-413)<br>Paper No(s)/Mail Date. _____ |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948)                       | 5) <input type="checkbox"/> Notice of Informal Patent Application                       |
| 3) <input type="checkbox"/> Information Disclosure Statement(s) (PTO/SB/08)<br>Paper No(s)/Mail Date _____ | 6) <input type="checkbox"/> Other: _____  |

## DETAILED ACTION

### *Claim Rejections - 35 USC § 103*

1. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

2. Claims 1, 3, 4 and 6 rejected under 35 U.S.C. 103(a) as being unpatentable over **Cobbley et al (5,818,510)** in view of **Peckover (6,119,101)** and further in view of **Dimitrova (6,363,380)**.

As to claim 1, note the **Cobbley** reference figures 1-5, discloses method and system for providing broadcast information with indexing and further discloses a method comprising steps of:

A module (Device 112-130) configured to classify a media collection as program versus commercials "secondary or associated data," such as real-time stock, weather report, text associated with video, etc., (fig.1, col.3, line 31-col.4, line 12, col.5, line 56-col.6, line 21, col.9, line 50-col.10, line 10 and col.15, lines 24-64);

A module (Device 112-130) configured identify segments within classified program content based on synchronizing recognized speech from the speaker voice characteristics in each identified segment with captioning to extract stories (col.5, line 56-col.6, line 21, col.9, line 50-col.10, line 10 and col.15, lines 24-64), indexing further includes subject matter, particular characters interacting in the video and audio, hosted talk shows, show topics, gusts, etc., and

Analyzing content of the media collection to determine whether speech recognition data or closed captioning data may be used to index the media collection (col.5, line 56-col.6, line 21, col.9, line 50-col.10, line 10 and col.15, lines 24-64)

Indexing (Index Data Capture Device 112) the media collection to create an indexed library based on the identified segments and synchronized speech (col.3, lines 55-col.4, line 12, lines 51-61, col.9, line 50-col.10, line 10 and col.15, lines 24-64);

Receiving at a server a search query to the indexed media collection from a user; searching the indexed library to identify a set of candidate program segments based on the search query; presenting at the client device the set of candidate program segments for the user to browse and select (col.9, line 25-col.10, line 10, lines 26-col.12, line 1+ and col.15, lines 24-64).

Cobbley teaches indexing based on subject matter and further teaches indexing secondary data, but silent to explicitly teach indexing commercials.

However note **Peckover** reference figures 1, 2 and 8, discloses a system for electronic commerce and further teaches indexing advertisements (col.14, line 57-col.15, line 1+ and col.23, line 25-col.24, line 1+)

Therefore it would have been obvious to one of ordinary skill in the art at the time of the invention to incorporate the teaching of Peckover into the system of Cobbley to index/search for ads meeting various criteria and order or provide matching ads according to the user's preference.

Cobbley as modified by Peckover, indexing hosted talk shows, show topics, gusts, etc., using various indexing techniques, such as speech recognition, closed

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captioning, etc., but silent to the use of a speaker voice characteristics (natural language): spoken segments, vocabulary speech recognition and parallel text alignment.

However, note the **Dimitrova** reference figures 1-7, discloses multimedia computer system with story segmentation capability and operating program, which sorts a set of story segments (multimedia, including television program) by detecting various features of the multimedia, including a speech recognition system which detects and identifies speakers using natural voice characteristics indexes/searches data base on the characteristic of the detected data (col.9, line 4-15, line 47-col.10, line 46, col.11, line 13-34, line 54-col.12, line 42 and col.14, line 24-col.15, line 1+).

Therefore it would have been obvious to one of ordinary skill in the art at the time of the invention to incorporate the teaching of Dimitrova into the system of Cobbley as modified by Peckover provide a system that detects various voice characteristics of speakers and index/search story segments of the speaker(s) for later retrieval as needed, using any available retrieval characteristic.

As to claims 3-4 and 6, Cobbley further teaches browseable image for each segment of the candidate program segments, which includes keywords identified in the searchable text data for display in the browseable image and presenting includes selecting a display segment from the set of candidate program segments and displaying the associated browseable image with associated keywords (fig.2, col.11, line 5-col.12, line 1+ and col.15, line 46-col.16, line 7).

As to claim 18, the claimed "A system for video indexing and delivery..." is composed to the same structural elements that were discussed with respect to the rejection of claim 1.

3. Claims 5 and 7 are rejected under 35 U.S.C. 103(a) as being unpatentable over **Cobbley et al (5,818,510)** in view of **Peckover (6,119,101)** and further in view of **Dimitrova (6,363,380)** as applied to claims 3 and 6 above and further in view of **Hoffert et al (5,983,176)**.

As to claims 5 and 7, Cobbley as modified by Peckover and Dimitrova, is silent to explicitly teach an anchor-person associated with the selected video and where the anchor-person with low information content and field shot image of an event of high information content and forming a browseable image by selecting the field shot image as key image and rejecting the image of the anchor-person as key image.

However, note **Hoffert et al** reference disclose evaluation of media content in a media files, searches for the files in the database and displays the search results based on the content of the media files where high level content attributes are more meaning used for short video sequences to enhanced searching (col. 21, lines 10-28, col. 24, lines 15-35 and Appendix A), note that text and closed captioning data is also used as searchable text.

Therefore it would have be obvious to one of ordinary skill in the art at the time of the invention to incorporate the teaching of Hoffert into the system of Cobbley as

modified by Peckover and Dimitrova to used high content level data to perform a search to reduce error in a search result

### ***Response to Arguments***

4. Applicant's arguments with respect to claims 1, 3-7 and 18 have been considered but are moot in view of the new ground(s) of rejection. The amendment to the claims necessitated the new ground(s) of rejection discussed above. **This office action is made final.**

### ***Conclusion***

5. The prior art made of record and not relied upon is considered pertinent to applicant's disclosure.

Kanevsky et al (6,434,520) disclose system and method for indexing and querying audio archives.

Petkovic et al (6,185,527) disclose system and method for automatic audio content analysis for word spotting, indexing, classification and retrieval.

6. Applicant's amendment necessitated the new ground(s) of rejection presented in this Office action. Accordingly, **THIS ACTION IS MADE FINAL**. See MPEP § 706.07(a). Applicant is reminded of the extension of time policy as set forth in 37 CFR 1.136(a).

A shortened statutory period for reply to this final action is set to expire **THREE MONTHS** from the mailing date of this action. In the event a first reply is filed within **TWO MONTHS** of the mailing date of this final action and the advisory action is not mailed until after the end of the **THREE-MONTH** shortened statutory period, then the shortened statutory period will expire on the date the advisory action is mailed, and any extension fee pursuant to 37 CFR 1.136(a) will be calculated from the mailing date of the advisory action. In no event, however, will the statutory period for reply expire later than **SIX MONTHS** from the date of this final action.


7. Any inquiry concerning this communication or earlier communications from the examiner should be directed to **Annan Q. Shang** whose telephone number is **571-272-7355**. The examiner can normally be reached on **700am-400pm**.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, **Christopher S. Kelley** can be reached on **571-272-7331**. The fax phone number for the organization where this application or proceeding is assigned is **571-273-8300**.



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Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the **Electronic Business Center (EBC) at 866-217-9197 (toll-free)**. If you would like assistance from a **USPTO Customer Service Representative** or access to the automated information system, call **800-786-9199 (IN USA OR CANADA) or 571-272-1000**.

A handwritten signature in black ink, appearing to read "Annan Q. Shang". The signature is stylized with a large, circular loop at the end.

**Annan Q. Shang**